



IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

Dated: June 10, 2014.

**TONY M. DAVIS
UNITED STATES BANKRUPTCY JUDGE**

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE:

FIRE UP, INC.

DEBTOR¹

§
§
§
§
§

**CASE NO. 14-10447
(Chapter 11)**

**ORDER GRANTING MOTION TO ESTABLISH PROOF OF CLAIM BAR DATE
FOR EXECUTORY CONTRACT AND LEASE REJECTION DAMAGE CLAIMS**

CAME TO CONSIDERED on the date above the *Motion to Establish Proof of Claim Bar Date for Executory Contract and Lease Rejection Damage Claims* filed by Fired Up, Inc., the Debtor and Debtor-in-Possession in the above-styled and referenced case. Notice and opportunity for hearing having been timely provided and no objections having been filed, the Court finds that the Motion is meritorious and should be granted. It is therefore

¹ Until February 26, 2014, Debtor's business was being operated partially by the Debtor, partially by Kona Restaurant Group, Inc. ("KRG"), a Delaware corporation wholly owned by the Debtor, and partially by Carino's Italian Kitchen, Inc. ("CIK"), a Delaware corporation wholly owned by KRG. CIK was merged into KRG in Delaware and KRG was merged into the Debtor, a Texas corporation, in Texas.

ORDERED that landlords whose leases were rejected by this Court's Order of April 11, 2014, as set forth in Exhibit "A" attached hereto, shall have up to and including the general bar date in this case of July 28, 2014, to file any claim or claims it may have in this case arising from the rejection of their leases. It is further

ORDERED that the bar date for any all an executory contracts or leases other than for those leases previously rejected by this Court's order of April 11, 2014 as set forth in Exhibit "A" hereto, shall be the later of (a) the general claims bar date of July 28, 2014 previously fixed in this chapter 11 case, or (b) twenty-eight (28) days after service of any order approving the rejection of a lease or other executory contract. It is further

ORDERED that all subsequent orders drafted by any party rejecting leases or other executory contracts shall include the bar date established by this Order.

#

Submitted by;

Barbara M. Barron
Stephen W. Sather
BARRON & NEWBURGER, P.C.
1212 Guadalupe St., Suite 104
Austin, Texas 78701
(512) 476-9103

AGREED AS TO FORM AND SUBSTANCE:

/s/ Barbara M. Barron

Barbara M. Barron (TBN 01817300)
Stephen W. Sather (TBN 17657520)
Barron & Newburger, P.C.
1212 Guadalupe, Suite 104
Austin, Texas 78701
(512) 476-9103 Ext. 220
(512) 476-9253 Facsimile

Attorneys for Debtor

/s/ Joshua M. Fried

Bradford J. Sandler (DE Bar No. 4142)
Joshua M. Fried (CA Bar No. 181541)
Pachulski Stang Ziehl & Jones LLP
919 N. Market Street, 17th Floor
P.O. Box 8705
Wilmington, DE 19899-8705 (Courier 19801)
Telephone: (302) 652-4100
Facsimile: (302) 652-4400
Email: bsandler@pszjlaw.com
jfried@pszjlaw.com

and

G. James Landon (TX Bar No. 24002445)
Seth E. Meisel (TX Bar No. 24037089)
Streusand, Landon & Ozburn, LLP
811 Barton Springs Rd., Ste. 811
Austin, Texas 78704
Telephone: (512) 236-9900
Facsimile: (512) 236-9904
Email: landon@slollp.com

Counsel to the Official Committee of Unsecured Creditors

EXHIBIT A**REJECTED LEASES PER COURT'S ORDER OF 4/11/14**

Store #	Lessor/Service	Lease Type	Leasehold Property Location
85	AEI Income & Growth Fund 25 LLC	Non-Residential Real Property (Full)	2638 Derek Drive Lake Charles, LA 70607
98	AEI Income & Growth Fund 25 LLC	Non-Residential Real Property (Full)	5700 N. Elizabeth Street Pueblo, CO 81008
42	Cassidy Turley Midwest, Inc.	Non-Residential Real Property (Full)	421 E. Nolana Loop McAllen, TX 78504
44	Cassidy Turley Midwest, Inc.	Non-Residential Real Property (Full)	389 S. Wadsworth Blvd. Lakewood, CO 80226
66	Cassidy Turley Midwest, Inc.	Non-Residential Real Property (Full)	510 LBJ Freeway (West IH-635) Irving, TX 75063
81	Cassidy Turley Midwest, Inc.	Non-Residential Real Property (Full)	960 N. Hwy 287 Mansfield, TX 76063
84	Cassidy Turley Midwest, Inc.	Non-Residential Real Property (Full)	411 B East Loop 281 Longview, TX 75605
51	Gentilis, Inc.	Non-Residential Real Property (Full)	3402 St. Michael Dr. Texarkana, TX 75503

95 ¹	Moondance, Inc.	Non-Residential Real Property (Full)	5900 S. Hulen St. Fort Worth, TX 76132
46	National Retail Properties	Non-Residential Real Property (Full)	3805 I-10 South Beaumont, TX 77705
50 ²	National Retail Properties	Non-Residential Real Property (Full)	595 E. Round Grove Road Lewisville, TX 75067
47	Native Land Investments, Ltd.	Non-Residential Real Property (Full)	2473 28th Street Greeley, CO 80634
96	RC NELMS JR. HILLCREST TRUST	Non-Residential Real Property (Full)	1725 Loop 323 WSW Tyler, TX 75701
59	Wilmington Center, LLC	Non-Residential Real Property (Full)	2840 Highway 6 & 50, Grand Junction, CO
90	Magdalena Properties,	Non-Residential Real Property (Ground)	5750 Hwy. 6, Missouri City, TX 77459
104	Pleasant Ridge Development Co., LLLP	Non-Residential Real Property (Ground)	11600 Pleasant Ridge Rd., West Little Rock, AR 72223
37	AEI Accredited Investor Fund 2002, Ltd.	Non-Residential Real Property (Full)	2033 Ken Pratt Blvd., Longmont, CO 80501